

18 September 1978

MEMORANDUM FOR THE RECORD

SUBJECT: MINUTES OF MARKINGS TASK FORCE MEETING - 14 September 1978

ATTENDEES:

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The first order of business was to identify any portion marking waivers the Agency will need to request from ISOO.

The only category of information identified so far in the DDO as requiring a waiver is their Foreign Intelligence Information Reports (FIIRs). Each FIIR is devoted to one subject only and the sensitivity of the information on each subject is the same. It is also impossible at the time of a report's origination to determine which portions are more or less sensitive than others until all information on a given subject is collected, combined, and analyzed and the significance of certain information is realized. The classification of the final intelligence report produced by NFAC is not necessarily based on the classification of the information as it appeared in each information report. The OGC representative pointed out that the reason for the mandatory portion marking prescribed in the executive order is to make classification a more thoughtful process and the Director of ISOO is going to require a very strong justification before a waiver is granted. He also mentioned that the provision in the draft directive for not requiring portion marking on documents where each portion is classified at the same level may be deleted.

The DDO representative will write a justification for this waiver request and also check to see if there are any other DDO categories of information or documents for which they would request a waiver.

NFAC will seek waivers for the President's Daily Brief (PDB) and National Intelligence Digest (NID). The NFAC representative mentioned that the PDB presently only bears the overall classification, but the articles within the NID are individually classified. She also explained the distribution and preparation process of the PDB. The OGC representative stated that this request seemed valid because of the time factor involved and the number of different people involved in the preparation process.

NEAC is also considering requesting a waiver for NIE's, but a decision has not been made yet.

One concern of NEAC is that the portion marking be kept simple, and the NEAC representative asked again if compartmentation will be shown by paragraph also. The OS representative said this question was raised before the NPIB Security Committee, but a decision has not yet been reached. He did emphasize that compartmented information will be required to show the national security classification by paragraph.

NEAC would also prefer to mark the top and bottom of each page of their publications with the highest classification contained in the publication, regardless of the highest level appearing on individual pages. In these cases the paragraph markings would prevail for excerpting purposes. The draft directive does allow for this (unless changed before the directive is final), and it was suggested that the task force make this procedure standard throughout the Agency.

DDST did not identify any waivers, but their representative would like to take a second look.

DDA feels we should seek a waiver for computer generated reports, such as TGA's, personnel listings, etc. The 14 August draft directive did contain a provision for automated data, but NSC proposed to delete it. The OGC representative will try to influence them to retain it, but if it is deleted we will request a waiver.

The Chairman asked that all requests be written according to the criteria in the draft directive and submit all requests to her by 22 September.

It was suggested that the Independent Offices be contacted to identify any portion marking waivers they may require.

The question was raised again as to whether or not the identification and declassification markings have to appear on the front of every document. NEAC would like to continue to carry this information on the inside of the front cover of their publications. The executive order clearly states that these markings will appear on the face of paper copies of all classified documents. The problem of electrically transmitted messages was mentioned again, since this marking information normally appears at the end of each message. The OGC representative will look into this further.

In the area of other markings, the types of information to be considered were broken down into four categories:

1. U.S. Government information requiring protection up to 20 years;
2. Foreign Government information to be reviewed in 30 years;

3. Cryptologic information for which the Secretary of Defense will establish procedures; and
4. Information concerning the identities of clandestine human agents for which the CIA will develop special procedures.

In this area, the discussion centered around the need for stamping these different types of information with a unique marking for each category to facilitate identifying them for the mandatory and systematic declassification reviews. It was determined that the clandestine human agents category would not be adequately covered by using the warning notice now being used for both sources and methods. This task force should review and decide what stamps, if any, should be used for these categories of information.

Some samples of stamps for the identification and declassification information requirements were reviewed. It was suggested that we begin designing the stamps to include all of this information needed for both original and derivative classifications. will take on the task of designing the required stamps.

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